

REMARKS

Editorial changes have been made to the claims, for clarity and to comply with 35 U.S.C. 100.

Claims 1-8 and 10-12, as previously submitted, as well as present submitted, are not anticipated by Nonoyama et al. (WO 99/50850). The Office Action incorrectly states that Nonoyama et al. discloses reading an (absolute C1 code word quad identifier) number to identify individual C1 code word quads, by saying Nonoyama et al. discloses such a feature at page 15, lines 7-14 and page 15, line 26-page 16, line 9. The Office Action also erroneously says Nonoyama et al., at page 15, lines 7-14 and page 15, line 26 - page 16, line 9, discloses comparing a read absolute (C1 code word quad number) with (a target absolute C1 code word quad) number. The Office Action also erroneously says Nonoyama et al. at page 15, lines 7-14 and page 15, line 26 - page 16, line 9, discloses a correspondence between the read absolute C1 code word quad number and the target absolute C1 code quad number. The Office Action also erroneously says that if a match between the read absolute C1 code word quad and the target absolute C1 code word quad number is found, an interrupt signal is generated to interrupt transport of a data storage medium past a read head. The Office Action also erroneously states that Nonoyama et al., at page 10, line 11-page 11, line 25 and page 15, lines 7-14 and page 26, line 26-page 16, line 9, discloses a write operation is commenced from a position of the read absolute C1 code word quad number which matches the target absolute C1 code word quad number.

In fact, the cited portions of Nonoyama et al. fail to mention anything about an absolute C1 code word quad number. Applicant's attorney has carefully reviewed the Nonoyama et al. reference and has failed to find any reference to absolute C1 code word quad numbers.

The attention of the Examiner is directed to Fig. 10 and page 14 of the present application which respectively include a diagrammatic representation and a description of a synchronized C1 code word quad. A synchronized C1 code word quad includes a first codeword pair (CCPO) in region 1001 and a second codeword pair (CCPI) in region 102. The CCPO in region 1001 is preceded by a forward synchronization field (FS) 1003, while the CCPI in region 1002 is followed by a back synchronization field 1005.

Based on the foregoing, the anticipation rejection of claims 1-8 and 10-12 is incorrect.

In addition, Nonoyama et al. is directed to a method of identifying the boundary between previously written data and appended data that has since been written; such a boundary is known as the append point. The claims of the present application are directed to finding the position where a new append can take place. Hence, the present invention and the Nonoyama et al. reference are concerned with different methods for performing different purposes. Consequently, the Nonoyama et al. disclosure is not, in actuality, relevant to the claims submitted by applicants.

The rejection of claim 9 as being unpatentable over Nonoyama et al. in view of Sakamoto U.S. Patent 4,390,909 is traversed. Sakamoto fails to cure the noted deficiencies in Nonoyama et al. Consequently, claim 9 is patentable with claim 8, upon which claim 9 depends.

In view of the foregoing amendments and remarks, favorable reconsideration and allowance are respectfully requested and deemed in order.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby

made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN GILMAN & BERNER, LLP

A handwritten signature in black ink, appearing to read "Allan M. Lowe", written over the firm name.

Allan M. Lowe
Registration No. 19,641

Customer Number: 22429
1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
December 23, 2003
AML/gmj